

National Republican.W. J. MURTAUGH, *Editor and Proprietor.***Largest Circulation of Any Morning Paper in the City of Columbia.****PUBLISHED EVERY MORNING** (Sundays excepted)

By W. J. MURTAUGH

Notices of Trials, Testimonials, &c., &c.

(Post Office Box 1000, Pennsylvania Avenue).

And is furnished to subscribers (by carriers) at 10 cents per month.

Mail subscribers, \$10 per year, \$40 for six months, \$20 for three months, \$10 for one month.

RATES OF ADVERTISING.

Twenty-five cents per line. Advertisements under the head of "For Sale or Rent," "Wanted," "Lost and Found," and "Personal," twelve and a half cents per line.

THE NATIONAL REPUBLICAN.

Published every Sunday morning, and is furnished to subscribers of the following rates: One copy per year, \$10; two copies, \$15; three copies, \$20; four copies, \$25; five copies, \$30; six copies, \$35; seven copies, \$40; eight copies, \$45; nine copies, \$50; ten copies, \$55; single copies, in wrappers, 10 cents.

CIRCULARS.

All communications, whether on business or for publication, should be addressed to W. J. MURTAUGH, Proprietor, NATIONAL REPUBLICAN, Washington, D. C.

CARTILAGE PUNISHMENT.

Two or three articles in the REPUBLICAN on the subject of capital punishment have had the effect of rallying all our city corporations in solid line against us. The howl that went up from nearly all of the Sunday papers yesterday on the same subject, with the execution on Friday morning in Alexandria, and the foul murder the same evening in Army Square in Washington, was a warning clear and general to the world of the record of our city.

Since the beginning of this discussion, however, we have had the satisfaction of converting one of our cotemporaries to our ideas, and we have every hope that we shall work a similar change of spirit in the sanguinary minds of the others before many months.

Washington has, we are sorry to say, earned an unenviable notoriety in a criminal way during the last twelve or eighteen months. We have seen the same number of arrests and convictions in the Union of the same population in the same period, and the prospect would seem to be that we shall retain our murderous leadership for some time to come. Seven murders have been committed in this District in a twelvemonth. We have had three executions here and one in the neighboring city of Alexandria.

The argument of the supporters of capital punishment is that frequent executions have the effect of "striking terror" into the criminal classes, and thereby diminishing crime.

Those who advocate the death penalty, and those who oppose it, act exactly the opposite theory, and are sustained by criminal statistics up to the present date.

In England, when even children twelve and fifteen years of age were executed for petty larceny, crime was more rampant than it was after the mitigation of the code.

Writers upon the subject show indisputably that crime always increased immediately after an execution—that is, when the executions were conducted in public to "strike terror" into the masses.

Curiously enough, our own experiences here point to the same side of the question.

Nearly every one of the murders that have taken place here recently followed upon the heels of an execution, so that is the iron-bound argument would seem, when investigated, to be utterly false and to produce results the very opposite to those intended to be reached. It is from a conviction of this character that we approved the commutation of O'Brien's sentence, and that we shall in the future labor for the abolition of the death penalty, substituted instead of capital punishment more in accordance with the spirit of the day and the times. In this work we have the sympathy and support of a large portion of our population.

We have written the preceding remarks with a view, however, to introduce a few extracts from the works of Edward Livingston on Criminal Jurisprudence, which have just been published by the National Prison Association with an introduction by Chief Justice Chase.

Mr. Livingston, about fifty years ago, in obedience to a call from the State of New York, prepared to prepare a system of penal law for that State, the excellence of which was acknowledged by Bentham and Jefferson and has been commended by the leading jurists of every civilized country in the world. The work has been printed in England, France and Germany, and, as Mr. Chase says, "It will live as long as the punishment of crime and the reformation of criminals continue to engage the attention of legislators and philanthropists." The distinguished author will be remembered by a host of our countrymen, a Union Captain, a Master, a member of Andrew Jackson's Cabinet, and Minister to France. In one of the preliminary reports to the different branches of the work Mr. Livingston took strong ground against the death penalty. Chief Justice Chase, in his introduction, says that "the day is at last approaching when his broad and comprehensive views will not only be appreciated, but realized." To-day we shall only make a few extracts upon one special branch of the question, viz., the inefficiency of executions to prevent murder.

The Sunday Herald of yesterday says:

"The night of Friday, the very day on which Charles O'Brien ought to have been hung, the most notorious criminal of the century, was found in one of the most central public squares of our city, within hailing distance of our most popular thoroughfares, the victim of a respectable man, with his hand and face battered and torn, and his body stony alive upon the winds of the wild March night. Thus the commutation business has cut its legitimate fruit."

Why not put it in this way?

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